CAROL GLADSTONE,   : Order Dismissing Appeal
                Appellant   :
                                          :
     v.   :
                                            : Docket No. IBIA 93-130-A
ACTING BILLINGS AREA DIRECTOR,   :
  BUREAU OF INDIAN AFFAIRS,   :
                Appellee   : November 24, 1993

       This is an appeal from a July 21, 1993, decision of the Acting Billings Area Director, Bureau of Indian Affairs, concerning cancellation of Lease No. R-339 on the Blackfeet Reservation.

       Appellant's notice of appeal did not show that she had served copies on interested parties. The Board therefore ordered her to serve the parties and to certify to the Board that she had done so. Appellant did not respond.

       When the administrative record was received, the Board noted that a copy of appellant's notice of appeal was included. The Board therefore concluded that appellant might have served her notice of appeal on the interested parties and simply failed to notify the Board. The Board was, however, unable to determine whether she had served the Blackfeet Tribe, the lessor in this matter and clearly an interested party. The Board docketed the appeal subject to appellant's service of her notice of appeal on the Tribe. The Board stated that, "if the Board has not received [appellant's] statement that she has served her notice of appeal on the Blackfeet Tribe, on or before the date on which her opening brief is due her appeal will be subject to dismissal."

       Appellant's brief was due on or before October 28, 1993. She did not file a brief. Nor did she file a statement that she had served her notice of appeal on the Blackfeet Tribe. Thus, the only arguments she has made in this appeal are those she included in her notice of appeal, which she has not served on the Tribe.

       In light of appellant's failure to serve the Tribe, despite twice being ordered to do so, the Board finds that this appeal must be dismissed for failure to prosecute.

       Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is dismissed.

_____   _____
Anita Vogt   Kathryn A. Lynn
Administrative Judge   Chief Administrative Judge